



NASA Policy Directive

COMPLIANCE IS MANDATORY

NPD 3713.2H

Effective Date: December 06, 1999

Expiration Date: December 06, 2009

Subject: Federal Equal Opportunity Programs of NASA (Revalidated 3/29/04)

Responsible Office: Office of Diversity & Equal Opportunity

1. POLICY

a. It is NASA's policy to provide Equal Employment Opportunity (EEO) for all employees and applicants for employment regardless of their race, color, religion, sex, age, national origin, sexual orientation, mental or physical disability. Pursuant to this policy, NASA prohibits discrimination based on race, color, religion, sex, age, national origin, sexual orientation, disability, in all aspects of its organization, facilities, and programs, including personnel policies, technical program operations, and management practices. NASA also strives to provide and maintain a work environment that is free of all forms of sexual harassment, and free from reprisal or retaliation for engaging in protected EEO activity.

b. It is also NASA's policy to promote the full realization of Equal Opportunity (EO) through a continuing affirmative employment program. NASA is fully committed to implementing all Federal laws, regulations, and guidelines relative to the development of affirmative employment plans, and annual reporting of accomplishments against those plans. NASA's affirmative employment plans include affirmative efforts in outreach and recruiting and, where appropriate, in hiring, promoting, and training of women, minorities, and individuals with disabilities. Equal employment efforts also include monitoring of employment practices in the areas of hiring, transfers, reassignments, promotions, awards, benefits, and separations to gain and maintain a talented NASA workforce that is culturally and gender diverse and that accommodates individuals with disabilities.

c. NASA will be an active participant in achieving the President's educational goals and objectives, particularly in meeting the challenges for an increased level of participation in science and engineering education. The Agency will continue its outreach efforts to help increase the number of minorities, women, individuals with disabilities, and disabled veterans who prepare to become engineers and scientists.

Included in these efforts will be the expansion of research and education initiatives with Historically Black Colleges and Universities (HBCU), Hispanic-Serving Institutions (HSI), Tribal Colleges and Universities (TCU), other universities with substantial minority student populations, and private and nonprofit organizations engaged in talent-building activities.

d. NASA federally assisted programs will be implemented in accordance with all Federal laws, regulations, and guidelines and will be free of unlawful discrimination based on race, color, national origin, age, sex or disability.

e. NASA will not sponsor, support, or assist, directly or indirectly, any conference, convention, or meeting held under circumstances in which participants are unlawfully segregated or are treated unequally because of race, religion, color, sex, age, disability, sexual orientation, or national origin.

2. APPLICABILITY

This Directive is applicable to NASA Headquarters and Centers, including Component Facilities.

3. AUTHORITY

a. 42 U.S.C. 2000e-16, Title VII of the Civil Rights Act of 1964, as amended.

b. 29 U.S.C. 633a, the Age Discrimination in Employment Act of 1967, as amended.

c. 29 U.S.C. 791, 794 and 794a, the Rehabilitation Act of 1973, as amended.

d. 38 U.S.C. 4214, the Vietnam Era Veterans Readjustment Assistance Act of 1974.

e. 42 U.S.C. 2000d to 2000d-4, Title VI of the Civil Rights Act of 1964.

f. 20 U.S.C. 1681 to 1688, Title IX of the Education Amendments of 1972, as amended.

g. 42 U.S.C. 6101 et seq., The Age Discrimination Act of 1975.

h. 42 U.S.C. 3601 et seq., Title VIII of the Civil Rights Act of 1968.

i. 29 U.S.C. 206(d), The Equal Pay Act of 1963.

j. Executive Order 11478, Equal Employment Opportunity in the Federal Government, dated August 8, 1969, as amended.

k. Reserved.

l. Reserved.

m. Reserved.

n. Executive Order 13087, Further Amendment to Executive Order 11478, Equal Employment Opportunity in the Federal Government, dated May 28, 1998.

o. Reserved.

p. Reserved.

4. REFERENCE

a. 29 CFR Parts 1604 - 1608 and 1614, Equal Employment Opportunity Regulations.

b. 14 CFR Parts 1250 - 1253, NASA Regulations.

c. NPR 1000.3, The NASA Organization, dated March 1, 2001.

d. Executive Order 12731, Principles of Ethical Conduct for Government Officers and Employees, dated October 17, 1990.

5. RESPONSIBILITY

a. Officials-In-Charge of Headquarters Offices, including Enterprise Associate Administrators, and NASA Center Directors will exercise personal leadership in establishing, maintaining, and implementing a continuing EO program to promote EO in every aspect of Agency personnel policy and practice in the employment, development, advancement, and treatment of employees. These officials will be held accountable for maintaining an environment in which equity and diversity can flourish within their programs, missions, or strategic enterprises; for adhering to NASA's EO and affirmative employment goals; and for ensuring that NASA and its representatives do not support or participate in any external activities that practice unlawful discrimination.

- b. The Assistant Administrator for EO Programs will advise or take whatever action is required in accordance with NPR 1000.3, The NASA Organization.
- c. NASA managers and supervisors will be responsible for implementing this policy. The Performance Planning and Annual Appraisal Process will document any general and/or specific requirements.
- d. Every NASA employee is responsible for adhering to NASA's nondiscrimination policies.
- e. All employees are required to adhere to the Agency's standards of conduct with respect to EO in the workplace.

6. DELEGATION OF AUTHORITY

None.

7. MEASUREMENTS

- a. The NASA Administrator submits annual plans and accomplishment reports to the following regulatory or oversight agencies:
 - (1) The EEOC--NASA's affirmative employment plans and accomplishment reports relative to workforce integration of minorities, women, and individuals with disabilities, as well as annual reports on precomplaint counseling and formal complaint processing.
 - (2) The Office of Personnel Management--Disabled Veterans Affirmative Action Program Report. This reflects NASA's affirmative action plans and accomplishment reports relative to recruitment, hiring, placement, and advancement of disabled veterans, particularly with 30-percent or more disability.
 - (3) The Office of Personnel Management--Federal Equal Opportunity Recruitment Program Report. This report reflects NASA's compliance with the Federal EO Recruitment Program requirements and how well the Agency is able to recruit and hire minorities, women, individuals with disabilities, and disabled veterans.
 - (4) The Department of Justice--NASA's federally assisted and federally conducted program plans and accomplishments.
 - (5) The White House Initiative Office on HBCU's--NASA's performance plans and performance reports on actions to assist HBCU's.
 - (6) The White House Initiative on Educational Excellence for Hispanic Americans--NASA's plans to increase Hispanic American participation in the Agency's educational programs and performance reports on actions to assist HSI's.

(7) The White House Initiative Office on TCU's--NASA's performance plans and performance reports on actions to assist TCU's.

b. The Assistant Administrator for Equal Opportunity Programs monitors progress, evaluates results, initiates corrective actions, and periodically reports outcomes of such processes with key Agency managers, personnel directors, and Equal Opportunity Officers.

8. CANCELLATION

NPD 3713.2G dated December 6, 1999.

REVALIDATED March 29, 2004

/s/ Daniel S. Goldin
Administrator

ATTACHMENT A: (TEXT)

None.

(URL for Graphic)

None.

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